

Forty-eighth Legislature
Second Regular Session

COMMITTEE ON HOMELAND SECURITY AND PROPERTY RIGHTS

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2316

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 38, chapter 8, Arizona Revised Statutes, is amended
3 by adding article 2, to read:

4 ARTICLE 2. DUTIES OF LAW ENFORCEMENT OFFICERS

5 38-1121. Law enforcement; records examination of transient
6 lodging or day labor service agency; violation;
7 classification; definitions

8 A. A BUSINESS THAT PROVIDES TRANSIENT LODGING UNDER THE TRANSIENT
9 LODGING CLASSIFICATION PURSUANT TO SECTION 42-5070 OR A DAY LABOR SERVICE
10 AGENCY AS DEFINED IN SECTION 23-551 SHALL PERMIT A LAW ENFORCEMENT OFFICER TO
11 IMMEDIATELY EXAMINE THE DAILY REGISTER OF THE BUSINESS OR AGENCY TO OBTAIN
12 THE NAME OF AN INDIVIDUAL ONLY FOR THE PURPOSE OF LOCATING AN INDIVIDUAL WHO
13 FAILS TO REGISTER PURSUANT TO SECTION 13-3821 OR WHO IS CHARGED WITH A
14 CRIMINAL OFFENSE.

15 B. A LAW ENFORCEMENT OFFICER SHALL USE THE NAMES THAT ARE OBTAINED
16 PURSUANT TO SUBSECTION A OF THIS SECTION ONLY FOR THE PURPOSES OF THAT
17 SUBSECTION. ALL OTHER INFORMATION SHALL BE DISPOSED OF IN A MANNER THAT
18 ENSURES THAT NO PERSONAL OR IDENTIFYING INFORMATION REMAINS WITH THE LAW
19 ENFORCEMENT OFFICER.

20 C. AN EMPLOYEE OF AN ENTITY PRESCRIBED IN SUBSECTION A OF THIS SECTION
21 WHO HAS REGULAR AUTHORIZED ACCESS TO THE DAILY REGISTER AND WHO FAILS TO
22 COMPLY WITH THE REQUEST OF A LAW ENFORCEMENT OFFICER PURSUANT TO THIS SECTION
23 IS GUILTY OF A CLASS 2 MISDEMEANOR.

24 D. FOR THE PURPOSES OF THIS SECTION:

25 1. "CRIMINAL OFFENSE" INCLUDES ANY OF THE FOLLOWING:

26 (a) A FELONY OR MISDEMEANOR OFFENSE.

27 (b) ESCAPE FROM CONFINEMENT OR THE CUSTODY OF ANY OF THE FOLLOWING:

28 (i) A LAW ENFORCEMENT OFFICER.

1 (ii) A CUSTODIAL OFFICIAL.
2 (iii) A CUSTODIAL AGENCY.
3 (iv) A CUSTODIAL INSTITUTION.
4 (c) BEING ACCUSED ON A WARRANT FOR FAILURE TO APPEAR FOR ANY FELONY OR
5 MISDEMEANOR CHARGE.
6 (d) BEING ACCUSED ON A WARRANT OF VIOLATING THE TERMS OF FEDERAL OR
7 STATE SUPERVISION.
8 (e) BEING ACCUSED OF VIOLATING BAIL OR CONDITIONS OF RELEASE.
9 (f) THE CONVICTION OF A CRIME.
10 (g) HAVING AN UNSERVED REMAINING CRIMINAL SENTENCE.
11 (h) BEING SUBJECT TO THE DEATH PENALTY ON CRIMINAL CONVICTION.
12 2. "LAW ENFORCEMENT OFFICER" MEANS AN INDIVIDUAL WHO IS CERTIFIED BY
13 THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD, A CONSTABLE OR AN
14 AGENT OF THE UNITED STATES MARSHALS SERVICE."

15 Amend title to conform

and, as so amended, it do pass

WARDE V. NICHOLS
Chairman

2316-se-hspr
2/11/08
H:jmb

2316wn*
02/06/2008
2:56 PM
C: MO